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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,095	07/26/2001	Garry Chinn	M-9333 US	8448

EXAMINER	
TRAN, QUOC A	

7590   07/25/2005

F. Jason Far-Hadian
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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 July 2001</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-63</u> is/are pending in the application.

    4a) Of the above claim(s) <u>13-15, 18-20 and 44-63</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-12, 16, 17 and 21-43</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>10/19/2001</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communication: amendment filed 05/09/2005 with recognition of an original filing date of 07/26/2001.

2.   Applicant's election with traverse, Group I (Claims 1-12, 16-17 and 21-43). The traversal is on the grounds that it should be no undue burden on the Examiner to consider all claims in the single application. In addition Applicant argues that the Examiner has failed to shown claims are independent and distinct.

This is not found persuasive:

The burden is due to the separate searches required because of the different classification indicated in the groupings.

Second the combinations disclosed as usable together in a subcombination or element of combination.

Invention (I) has separate utility such as hierarchical control. Independent claim in group I are: 1, 21 and 39.

Invention (II) has separately utility such as a structured document. Independent claim in group II is: 13.

Invention (III) has separate utility such as fitting data into field on form. Independent claim in group III are: 44, 60 and 61.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination. The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture,
> or composition of matter, or any new and useful improvement thereof, may obtain
> a patent therefor, subject to the conditions and requirements of this title.

4.   Claims 1-12, 16-17 and 21-43 are rejected under 35 U S.C. 101 because the

claimed invention is directed to non-statutory subject matter. Claims 1-12, 16-17 and 21-

43 set forth non-functional descriptive material but fail to set forth physical structures or

materials comprising of hardware or a combination of hardware and software within the

technological arts (i.e. a computer) to produce a "useful, concrete and tangible" result.

For example, Claims 1-12, 16-17 and 21-43 the "method" reads on a mental

construct/abstract idea or at best a computer program, per se. The language such as " A

method comprising... and A method comprising of navigating a navigation tree... do not

clearly define structural elements and are not tangibly embodied on a computer readable

medium. Claims 1-12, 16-17 and 21-43 are interpreted as software per se, abstract ideas

or mental construct and not tangibly embodied on a computer readable medium or

hardware.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was
made.

6.   **Claims 1-12, 16-17 and 21-43** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Ferrel et al US005878421A - filed 07/17/1995 (hereinafter Ferrel), in

view of Saldanha et al. US006714939B2 - filed 01/08/2001 (hereinafter Saldanha).

In regard to independent claim 1, providing a navigation tree comprising a

semantic, hierarchical structure, (Ferrel at col. 17, lines 30-45 and Fig. 7 of 17,

discloses an information map, wherein the left panel of the display window shows a

hierarchy of containers (i.e. only containers which are associated to the contents of the

containers in the right panel) of one project for a publisher and allows user to navigate

though it), **having one or more paths associated with content** (Ferrel at col. 17, lines

30-45 and Fig. 7 of 17, discloses an information map, wherein the left panel of the

display window shows a hierarchy of containers (i.e. only containers which are associated

to the contents of the containers in the right panel), wherein an information map from

containers which are associated to the contents of the containers, which is suggested in

the broadest reasonable interpretation as claimed (i.e. one or more path associated with

content), **of a conventional markup language document** (Ferrel at col. 23, lines 20-45,

discloses an information map, wherein the text style for the section name is set from the

style sheet associated with sections 1-9 based on the current level at state 586. It is

appreciated by a person of ordinary skill in the art that style sheet is suggested reasonably

equivalent to a text file containing code to apply semantic such as page layout

specification to an HTML (Hyper Text Markup Language) as claimed (i.e. of a

conventional markup language document)), **receiving a request to access the content**

(as taught by Ferrel at col. 23, lines 40-45), **and responsive to the request** (Ferrel at col. 23, lines 25-30), **traversing a path in the navigation tree, if the request includes at least one keyword of the vocabulary** (Ferrel at col. 21, lines 5-25, discloses the viewer traverses the link and finds the first page associated with that section and displays it, and also see Ferrel at col. 23, lines 20-45, discloses the text style for the section name is set from the style sheet associated with sections 1-9 based on the current level at state 586. It is appreciated by a person of ordinary skill in the art that style sheet is suggested reasonably equivalent to a text file containing code to apply semantic such as page layout specification to an HTML (Hyper Text Markup Language), which is reasonably equivalent to least one keyword of the vocabulary as claimed).

Ferrel does not explicitly teaches, **... grammar...** however (Saldanha taught at col. 7, line 20 through col. 8, line 10, discloses the architecture of the content engine in FIG. 2, the content engine comprises: a parser, a mapper, and a Domain Markup Language ("DML") generator, wherein the parser parses the text input by the user into all possible parses, based on the grammar stored in the grammar storage, the mapper accesses all the parses of the text input by the user produced by the parser, the DML generator reduces the structure produced by the mapper to a simpler form. The generation of the DML (Domain Markup Language) is directed, the application takes the DML input and uses it as a query on an underlying database, to retrieve entries (e.g., products) that satisfy the query, and hence match the user's interests (to the extent that such interest is well expressed in the original text input), which is suggested in the broadest reasonable interpretation as claimed, wherein a parser, a mapper, and a Domain Markup Language ("DML") generator and text input query, which is suggested reasonably equivalent to

paths associated with content of a conventional markup language document including one or more keywords).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Ferrel, discloses an information map, to include a means of a parsing, mapping, and a Domain Markup Language ("DML") generator, wherein the parser parses the text input by the user into all possible parses, based on the grammar stored in the grammar storage, the mapper accesses all the parses of the text input by the user. One of the ordinary skills in the art would have been motivated to enable the mapping of grammatical parse of a sentence and the ability to attach a natural markup language interface with minimal developer effort (as taught by Saldanha at col. 7, line 25 through col. 8, line 15).

In regard to independent claim 21, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following and is similarly rejected along the same rationale, **visiting a first node in the navigation tree; moving from the first node to a second node in the navigation tree in response to the user request, the second node** (Ferrel at col. 2, lines 60-67, discloses an information map, wherein a navigable outline for a title structure comprising a plurality of related nodes, the method comprising the steps of (a) accessing the title structure; (b) finding a node in the title structure; (c) creating a navigation link for the node; and (d) recursively descending the title structure for steps (b) and (c)), Ferrel does not explicitly teaches, **and expanding the grammar by adding to the vocabulary the keyword of the second node,** however (Saldanha taught at col. 12, line 50 through col. 13, line 15 discloses the architecture of "grammar" shows in Fig. 3A –3C, wherein the DAG

(Directed Acrylic Graph) expanding from 9 nodes to 14 nodes, for example, in the sentence "The boy helped the girl with the suitcase," the modifier "with the suitcase" can either apply to the girl, or to the act of helping. In general, a modifier can modify any part of the sentence. The above teaching read in the broadest reasonable interpretation as claimed, wherein DAG's node expanding from 9 to 14 by modify the nodes such as, adding "with the suitcase" to "The boy helped the girl with the suitcase," which is suggested reasonably equivalent to expanding the grammar by adding to the vocabulary the keyword of the second node as claimed).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Ferrel, discloses an information map, to include a means of a parsing, mapping, and a Domain Markup Language ("DML") generator, wherein the parser parses the text input by the user into all possible parses, based on the grammar stored in the grammar storage, the mapper accesses all the parses of the text input by the user of Saldanha. One of the ordinary skills in the art would have been motivated to enable the mapping of grammatical parse of a sentence and the ability to attach a natural markup language interface with minimal developer effort (as taught by Saldanha at col. 7, line 25 through col. 8, line 15).

In regard to independent claim 39, incorporate substantially similar subject matter as cited in claims 1 and 21 above, and is similarly rejected along the same rationale.

In regard to dependent claim 2, incorporate substantially similar subject matter as cited in claims 1 and 21 above, and in further view of the following and is similarly rejected along the same rationale, **wherein the vocabulary dynamically changes** (Ferrel

at col. 23, lines 20-60, discloses an information map, wherein the set content values is located at state 596 and the text style is located in the story's associated style sheet based upon the values at state 598. Next, the function 568 creates a link and registers it with the viewer at state 600. It is appreciated by a person of ordinary skill in the art that style sheet is suggested reasonably equivalent to a text file containing code to apply semantic such as page layout specification to an HTML (Hyper Text Markup Language), which is suggested reasonably equivalent to least one keyword of the vocabulary as claimed and associated style sheet based upon the values at different state is suggested reasonably equivalent to dynamically changes as claimed).

In regard to dependent claims 3, 5, 6-8, 22 and 24 incorporate substantially similar subject matter as cited in claim 1 above, and are similarly rejected along the same rationale.

In regard to dependent claim 9, incorporate substantially similar subject matter as cited in claims 1 and 21 above, and in further view of the following and is similarly rejected along the same rationale, **narrowing the vocabulary of the grammar if the request does not include at least one keyword of the vocabulary** (Ferrel at col. 23, lines 20-60, (Ferrel at col. 23, lines 20-60, discloses an information map, wherein the set content values is located at state 596 and the text style is located in the story's associated style sheet based upon the values at state 598. Next, the function 568 creates a link and registers it with the viewer at state 600. It is appreciated by a person of ordinary skill in the art that style sheet is suggested reasonably equivalent to a text file containing code to apply semantic such as page layout specification to an HTML (Hyper Text Markup Language), which is suggested reasonably equivalent to least one keyword of the

vocabulary as claimed and associated style sheet based upon the values at different state

is suggested reasonably equivalent to narrowing changes as claimed, also see the

Specification page 6, lines 21-30, discloses dynamically build the navigation grammar

based on keywords or other vocabulary included to streamline and narrow the vocabulary

included in the grammar to those keywords and commands that are relevant to the tree

branch being traversed at the time).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Ferrel, discloses an information map, to include a

means of a parsing, mapping, and a Domain Markup Language ("DML") generator,

wherein the parser parses the text input by the user into all possible parses, based on the

grammar stored in the grammar storage, the mapper accesses all the parses of the text

input by the user of Saldanha. One of the ordinary skills in the art would have been

motivated to enable the mapping of grammatical parse of a sentence and the ability to

attach a natural markup language interface with minimal developer effort (as taught by

Saldanha at col. 7, line 25 through col. 8, line 15).

In regard to dependent claim 10, incorporate substantially similar subject matter

as cited in claims 1 and 2 above, and is similarly rejected along the same rationale.

In regard to dependent claim 11, incorporate substantially similar subject matter

as cited in claims 1 and 21 above, and is similarly rejected along the same rationale.

In regard to dependent claim 12, wherein the conventional markup language

is Hyper Text Markup Language (Ferrel at col. 23, lines 20-45, discloses an

information map, wherein the text style for the section name is set from the style sheet

associated with sections 1-9 based on the current level at state 586. It is appreciated by a

person of ordinary skill in the art that style sheet is suggested reasonably equivalent to a

text file containing code to apply semantic such as page layout specification to an HTML

(Hyper Text Markup Language).

In regard to dependent claim 16, accepting the request if the first confidence

score is greater than a recognition threshold (Ferrel at col. 23, line 60 through col. 24,

line 5, discloses an information map, wherein the text style for the section name is set

from the style sheet associated with the current level at state based upon the decision state

and recursive call of the level is or is not at the maximum section depth, which is read in

the broadest reasonable interpretation as claimed, wherein decision state is suggested

reasonably equivalent to accepting the request if, recursive call of the level is or is not at

the maximum section depth is suggested reasonably equivalent to score is greater than a

recognition threshold as claimed).

In regard to dependent claims 17 and 25-26, incorporate substantially similar

subject matter as cited in claims 1 and 16 above, and are similarly rejected along the

same rationale.

In regard to dependent claims 27-28, incorporate substantially similar subject

matter as cited in claims 1, 16 and 21 above, and are similarly rejected along the same

rationale.

In regard to dependent claims 29-38, incorporate substantially similar subject

matter as cited in claims 1 and 21 above, and are similarly rejected along the same

rationale.

In regard to dependent claims 40-43, incorporate substantially similar subject matter as cited in claims 1, 7 and 21 above, and are similarly rejected along the same rationale.

7.   **Claims 4 and 23** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al US005878421A - filed 07/17/1995 (hereinafter Ferrel), in view of Saldanha et al. US006714939B2 - filed 01/08/2001 (hereinafter Saldanha), further in view of MacKenty et al US006088675A – filed 03/23/1999 (hereinafter MacKenty),

In regard to dependent claim 4, Ferrel and Saldanha do not explicitly teaches, **wherein the request is in the form of speech**, however (MacKenty at col. 17, lines 30-45 and Fig. 7 of 17, discloses an SGML document, which can be in the form of keyboard input, voice commands, or any other kind of input. In the preferred embodiment, the input is from a numeric keypad, such as that on a standard personal computer keyboard. The input selects one of several typical navigation functions).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Ferrel, discloses an information map, to include a means of a parsing, mapping, and a Domain Markup Language ("DML") generator, wherein the parser parses the text input by the user into all possible parses, based on the grammar stored in the grammar storage, the mapper accesses all the parses of the text input by the user of Saldanha, further to include a means of for controlling, navigating the SGML document using from key board or voice command of MacKenty. One of the ordinary skills in the art would have been motivated to provide the auditory presentation of documents, and, more particularly to communicating by sound the contents of

documents coded in SGML for visually impaired individuals (as taught by MacKenty at

col. 1, lines 9- 50).

In regard to dependent claim 23, Ferrel and Saldanha do not explicitly teaches,

providing an error message, if the user request is not recognized, however

(MacKenty at col. 7, lines 25-30, discloses an errors message generators (i.e. the text of

an error message is sent to the speech synthesizer for presentation to the user, and the

Boolean value returned by the function indicates that the reader should not be started).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Ferrel, discloses an information map, to include a

means of a parsing, mapping, and a Domain Markup Language ("DML") generator,

wherein the parser parses the text input by the user into all possible parses, based on the

grammar stored in the grammar storage, the mapper accesses all the parses of the text

input by the user of Saldanha, further to include a means of for controlling, navigating

the SGML document using from key board or voice command of MacKenty. One of the

ordinary skills in the art would have been motivated to provide the auditory presentation

of documents, and, more particularly to communicating by sound the contents of

documents coded in SGML for visually impaired individuals (as taught by MacKenty at

col. 1, lines 9- 50), and to indicates that the reader should not be started the application

since the tag of the design location is not found (as taught by MacKenty at col. 7, lines

25-30).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

MobilHTML/XML/CSS/HTTP-

·www.w3.org/Mobile/1998/Workshop/Slide/MEI/mobileHTMLarch.ppt - 07/09/1998

Uppaluru   US005915001A   · filed   11/14/1996

7.·   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-

4103. The examiner can normally be reached on Monday through Friday from 11AM

to 7PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Herndon R. Heather can be reached on (571) -272-4136. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-

9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

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more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Quoc A, Tran
Patent Examiner
Technology Center 2176

July 16, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
7/21/2005